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[REDACTED] EXAMINER

YENKE, BRIAN P

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2614

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Please find below and/or attached an Office communication concerning this application or proceeding.

63

|                              |                        |                     |
|------------------------------|------------------------|---------------------|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|                              | 09/475,135             | KWEON ET AL.        |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |
|                              | BRIAN P. YENKE         | 2614                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on Amendment (10 May 2002).
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)      4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) Notice of Informal Patent Application (PTO-152)  
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.      6) Other:

## **DETAILED ACTION**

- 1a. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.
- 1b. Applicant's arguments filed 10 May 2002, with respect to claims 11-12 have been fully considered but they are not persuasive.

### ***Drawings***

2. In reference to the applicants request for indication whether the formal drawing have been approved by the Draftsperson. The examiner will have the draftsman review the formal drawings upon the indication of allowable subject matter or a Notice of Allowance, and subsequently forward the draftsman review to the applicant.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3a. Claims 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by **Suh, US 5,831,591.**

**Suh discloses an “Information Picture Display Device Using a Double-Picture Type Screen” where the user is given options to select a desired screen mode. The system processes television signal (TV 2 and/or TV1) and also processes other information to include, TV information, stock market quotes, news and weather via a value added network (VAN).**

In considering claim 11,

1) the claimed setting one of the plurality of screens...**is met where the user via key input can select a desired screen mode (Fig 1, 3A-E, 4)(col 1, line 43-60)** and **information processing unit 210 which also receives a key input via user. Where the display can display a 1<sup>st</sup> television signal, 2<sup>nd</sup> television signal, and also various kinds of communication services transmitted via the VAN, such as stock market quotes, news, weather or TV information (col 1, line 36-52).**

2) the claimed displaying a menu element is met where microcomputer 110 controls (in addition to relaying signals from information processing unit 210) to double window processing unit 100 display the desired source(s) in the selected display mode (Fig 3A-E).

In considering claim 12,

Suh discloses that based on the users input for a desired screen mode, the TV microcomputer controls (in addition to relaying information from unit 210) double window processing unit 100 which either enlarges/reduces the selected source(s) based on the selected screen mode.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4a. Claims 1-10 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Suh US 5,831,591 and Chor et al., US 6,141,003**.

In considering claims 1-2,

1) the claimed determining whether or not a menu key is input...**is met by microcomputer 110 which recognizes the (screen mode) key input via user (Fig 1&4) (col 1, line 43-60)** and information processing unit 210 which also receives a key input via user. Where the display can display a 1<sup>st</sup> television signal, 2<sup>nd</sup> television signal, and also various kinds of communication services transmitted via the VAN, such as stock market quotes, news, weather or TV information (col 1, line 36-52).

2) the claimed determining a current screen display mode...**is met microcomputer 110 which controls the operation of the double window processing according to a selected screen mode.**

3) the claimed displaying a menu element...**is met by double window processing unit 100 which receives instruction from information processing unit 210 via microcomputer 110 to display the appropriate source(s) on the desired menu mode selected by the user (Fig 3A-3E)**

However, Suh remains silent on an icon being included in a menu.

**Suh discloses a system which is able to display based on the user's desired mode (col 4, line 13-20) via a key input signal to display the selected signals which includes main video signal (TV1), Sub Video signal TV and communication services transmitted via VAN (i.e. stock market quotes, news, weather or TV information).**

The use of icons being displayed/utilized in a menu element, is notoriously well-known in the art.

The examiner, provides Chor et al., US 6,141,003, which discloses a graphical user interface using a channel bar with icons to assist the viewer while navigating channels. As shown in the Figures 2-7, the user is able to select, view information on the channel bar/menu by selecting the appropriate icon (i.e. the user can select find show (142, Fig 6) or windows icon 146 (Fig 6) which allows a viewer to transition between a full screen mode of operation and a window mode of operation (col 9, line 65-66).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify/utilize icons in a menu screen, where a menu screen as disclosed by Su includes stock market information, news, weather or TV information, in order to provide the user the ability to interact/select the information (icon) of interest.

In considering claims 3-6, 14

Suh discloses that various display modes can be used where one picture is display entirely on the screen (Fig 3A/B), where one source is overlayed onto another source i.e. submenu (Fig 3C) or a dual side-by-side display (Fig 3D/E).

In considering claims 7-10,

Suh discloses that based on the users input for a desired screen mode, the TV microcomputer controls (in addition to relaying information from unit 210)

**double window processing unit 100 which either enlarges/reduces the selected source(s) based on the selected screen mode.**

In considering claim 13,

1) the claimed determining whether a menu key... **is met by microcomputer 110 which recognizes the (screen mode) key input via user (Fig 1&4) (col 1, line 43-60)** and information processing unit 210 which also receives a key input via user.

**Where the display can display a 1<sup>st</sup> television signal, 2<sup>nd</sup> television signal, and also various kinds of communication services transmitted via the VAN, such as stock market quotes, news, weather or TV information (col 1, line 36-52).**

2) the claimed determining a current display mode... **is met microcomputer 110 which controls the operation of the double window processing according to a selected screen mode.**

3) the claimed dividing said TV screen...**is met where TV microcomputer 110 recognizes a key input to control the double window processing unit 100 and for receiving and transmitting data in series with an information processing unit 210 (col 2, line 43-67)(Fig 3A-E)**

4) the claimed setting one of said first or second sub-display...**is met by information processing unit 210 which outputs a switching control signal SW1-3 based on the desired display (col 7, line 36-40).**

- 5) the claimed adjusting sizes is met where based on the user selected key input, CPU 211 read data from ROM 212 which stores the necessary program operations for font data, and the required decoding of program and data.
- 6) the claimed displaying is met where the selected signals are displayed on CRT 140.

However, Suh remains silent on an icon (5, 6) being included in a menu.

Suh discloses a system which is able to display based on the user's desired mode (col 4, line 13-20) via a key input signal to display the selected signals which includes main video signal (TV1), Sub Video signal TV and communication services transmitted via VAN (i.e. stock market quotes, news, weather or TV information).

The use of icons being displayed/utilized in a menu element, is notoriously well-known in the art.

The examiner, provides Chor et al., US 6,141,003, which discloses a graphical user interface using a channel bar with icons to assist the viewer while navigating channels. As shown in the Figures 2-7, the user is able to select, view information on the channel bar/menu by selecting the appropriate icon (i.e. the user can select find show (142, Fig 6) or windows icon 146 (Fig 6) which allows a viewer to transition between a full screen mode of operation and a window mode of operation (col 9, line 65-66).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify/utilize icons in a menu screen, where a menu screen as

**disclosed by Su includes stock market information, news, weather or TV information, in order to provide the user the ability to interact/select the information (icon) of interest.**

In considering claims 15-17,

**Suh discloses that based on the users input for a desired screen mode, the TV microcomputer controls (in addition to relaying information from unit 210) double window processing unit 100 which either enlarges/reduces the selected source(s) based on the selected screen mode.**

#### ***Applicant's Arguments***

- a) In reference to claims 1-12, applicant states that Suh utilizes a channel selection key and not a menu key.
- b) In reference to claims 1-12, applicant states that Suh does not determine whether or not a menu key is input to display program specific information including broadcasting program information.

#### ***Examiner's Response***

- a) The examiner disagrees. Specifically, Suh discloses receiving a key input (Fig 1) which TV microcomputer 110 recognizes to control the double window processing unit 100, where the key input by the user is a mode key input (col 4, line 21-29) which is

used to display the selected signals/sources in a selected display mode. Therefore, the key input not only functions as a channel selection but also allows the user to select a desired screen mode, along with the selection of 1 or 2 signals (where the display can display a 1<sup>st</sup> television signal, 2<sup>nd</sup> television signal, and also various kinds of communication services transmitted via the VAN, such as stock market quotes, news, weather or TV information (col 1, line 36-52).

b) The examiner disagrees. As stated above in the rejection, Suh can display a 1<sup>st</sup> television signal, 2<sup>nd</sup> television signal, and also various kinds of communication services transmitted via the VAN, such as stock market quotes, news, weather or TV information (col 1, line 36-52). Suh specifically discloses that the user selects the screen mode (col 7, line 36-40), where based on the selected mode the processing unit 210 selects the appropriate sources using SW 1-3 to display the selected signals according to the selected screen mode.

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Enomoto et al., US 6,367,080 ; discloses an internet information displaying apparatus which displays both internet data and display picture signals (television broadcast, video cassette, digital video disk etc).**

**Berezowski et al., US 6,064,376 ; discloses an adjustable program guide display system in which the relative sizes of the promotional information and**

**program listings regions can be adjusted in real time to provide different display formats.**

**JP-63195727, discloses a menu display system which displays multiple images/menus in different sizes/screens based on the operator's selection.**

The prior art reference in the previous Office Action (15 February 2002), is still considered pertinent.

**Otsuki et al., US 5,929,932 ; discloses program guide display controller to control the display and restrict contents of guide to be displayed.**

**Schein et al., US 6,075,575 ; discloses a method to allow user to interact, activate, select items from a television guide.**

**Florin et al., US 5,594,509 ; discloses a system which provides multiple levels of information on a display through an interactive transceiver.**

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (703) 305-9871. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John W. Miller, can be reached at (703)305-4795.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 305-4700.

B.P.Y.

10 JULY 2002

  
**JOHN MILLER**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**